

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

DANA HURSEY,

Plaintiff,

v.

IWANT2020.COM, INC. d/b/a PARK  
AVENUE LASEK,

Defendant.

**CASE NO.: 1:25-cv-05377**

**COMPLAINT FOR COPYRIGHT  
INFRINGEMENT**

**(INJUNCTIVE RELIEF DEMANDED)**

Plaintiff DANA HURSEY (“Hursey”) by and through his undersigned counsel, brings this Complaint against Defendant IWANT2020.COM, INC. d/b/a PARK AVENUE LASEK (“Defendant”) for damages and injunctive relief, and in support thereof states as follows:

**SUMMARY OF THE ACTION**

1. Hursey brings this action for violations of exclusive rights under the Copyright Act, 17 U.S.C. § 106, to copy and distribute Hursey's original copyrighted Work of authorship.

2. Hursey is an award-winning photographer and the owner of Dana Hursey Photography, a Los Angeles based high-end commercial advertising photography studio, which provides photography for advertisement agencies and corporations worldwide. Hursey was named one of the top four photographers in the United States and top 200 best advertisement photographers worldwide by Lürzer's International Archive magazine. As such, Hursey is and has been a critical advertising partner for companies to boost their sales. Hursey's photographs capture the vibrant and quirky essence that elevate brands and set them apart from their competition. He studied commercial photography and film at Art Center College of Design in Pasadena, California and received a Bachelor of Fine Art with a focus on Photography. Hursey's award-winning commercial career has given him the opportunity to work with a broad range of clientele and a wide range of subject matter. Over the years, he has taught at Art Center College

of Design, University of California, Los Angeles, and other various schools and workshops, and serves on the National Board of Directors for American Photographic Artists.

3. Defendant is an ophthalmologist office, owned by Dr. Emil Chynn, providing laser eye surgery and medical services in New York. At all times relevant herein, Defendant owns and operates the internet website located at the URL <https://parkavenuelasek.com/> (the “Website”).

4. Hursey alleges that Defendant copied Hursey’s copyrighted Work from the internet in order to advertise, market, and promote Defendant’s business activities.

### **JURISDICTION AND VENUE**

5. This is an action arising under the Copyright Act, 17 U.S.C. § 501.

6. This Court has subject matter jurisdiction over these claims pursuant to 28 U.S.C. §§ 1331, 1338(a).

7. Defendant is subject to personal jurisdiction in New York.

8. Venue is proper in this district under 28 U.S.C. § 1391(b) and (c) and 1400(a) because the events giving rise to the claims occurred in this district, Defendant engaged in infringement in this district, Defendant resides in this district, and Defendant is subject to personal jurisdiction in this district.

### **DEFENDANT**

9. Iwant2020.Com, Inc. d/b/a Park Avenue Lasek (“Park Avenue Lasek”) is a New York corporation, with its principal place of business at 102 E 25th St, First Floor, New York, New York, 10010 and can be served at its usual place of business at 102 E 25th Street, First Floor, New York, NY, 10010.

**THE COPYRIGHTED WORK AT ISSUE**

10. In 2021, Hursey created the photograph entitled “DH\_625-2289-Deliver,” which is shown below and referred to herein as the “Work”.



11. Hursey was granted a Certificate of Registration for the Work by the U.S. Copyright Office, which is effective as of November 1, 2021. The group registration that covers the Work was assigned registration number VAu 1-448-875. A true and correct copy of the Certificate of Registration is attached hereto as **Exhibit 1**.

12. Hursey’s Work is protected by copyright but was not otherwise confidential, proprietary, or trade secrets. The Work in perspective, orientation, positioning, lighting, and other details is entirely original, distinctive, and unique. As such, the Work qualifies as subject matter protectable under the Copyright Act.

13. At all relevant times, Hursey was the owner of the copyrighted Work.

**INFRINGEMENT BY PARK AVENUE LASEK**

14. Defendant has never been licensed to use the Work for any purpose.

15. On a date after the Work at issue in this action was created, but prior to the filing of this action, Defendant copied the Work.

16. On or about November 22, 2024, Hursey discovered the unauthorized use of his Work on the Website in an advertisement promoting the “Innovative Dry Eye Treatment Now Available at Park Avenue LASEK”. True and accurate copies of the advertisement on the Website and the image being hosted on the Website are attached hereto as **Exhibit 2**.

17. Defendant copied Hursey's copyrighted Work without Hursey's permission or authority.

18. After Defendant copied the Work, it made further copies and distributed the Work on the internet to promote the sale of goods and services as part of its ophthalmology business.

19. Defendant copied and distributed Hursey's copyrighted Work in connection with Defendant's business for purposes of advertising and promoting Defendant's business, and in the course and scope of advertising and selling products and services.

20. Defendant committed copyright infringement of the Work as evidenced by the documents in **Exhibit 2**.

21. As shown in **Exhibit 2**, Defendant altered the Work by intentionally and carefully removing the background of the Work to suit Defendant's advertising needs.

22. Hursey never gave Defendant permission or authority to copy, distribute or display the Work.

23. Hursey notified Defendant of the allegations set forth herein on December 3, 2024, December 18, 2024, February 10, 2025, and March 17, 2025. To date, the parties have failed to resolve the matter.

**COUNT I**  
**COPYRIGHT INFRINGEMENT**

24. Hursey incorporates the allegations of paragraphs 1 through 23 of this Complaint as if fully set forth herein.

25. Hursey owns a valid copyright in the Work.

26. Hursey registered the Work at issue in this case with the Register of Copyrights pursuant to 17 U.S.C. § 411(a).

27. Defendant copied, displayed, and distributed the Work at issue in this case and made derivatives of the Work without Hursey's authorization in violation of 17 U.S.C. § 501.

28. Defendant performed the acts alleged in the course and scope of its business activities.

29. Defendant's acts were willful.

30. Hursey has been damaged.

31. The harm caused to Hursey has been irreparable.

WHEREFORE, Plaintiff DANA HURSEY prays for judgment against Defendant IWANT2020.COM, INC. d/b/a PARK AVENUE LASEK that:

a. Defendant and its officers, agents, servants, employees, affiliated entities, and all of those in active concert with them, be preliminarily and permanently enjoined from committing the acts alleged herein in violation of 17 U.S.C. § 501;

b. Defendant be required to pay Hursey his actual damages and Defendant's profits attributable to the infringement, or, at Hursey's election, statutory damages, as provided in 17 U.S.C. § 504;

c. Hursey be awarded his attorneys' fees and costs of suit under the applicable statutes sued upon;

- d. Hursey be awarded pre- and post-judgment interest; and
- e. Hursey be awarded such other and further relief as the Court deems just and proper.

**JURY DEMAND**

Hursey hereby demands a trial by jury of all issues so triable.

Dated: June 26, 2025

Respectfully submitted,

/s/ Joseph A. Dunne

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